

11/09/01
U.S. PTO

A
PATENT

Customer Number 22,852
Attorney Docket No. 3495.0104-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS AND TRADEMARKS
Washington, D.C. 20231

Prior Application Art Unit: 1648 Prior Application Examiner: J. Parkin

SIR: This is a request for filing a

Continuation Continuation-in-Part Divisional Application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 08/467,161, filed June 6, 1995, which is a continuation of application Serial No. 08/132,919, filed October 7, 1993, now U.S. Patent No. 5,545,726, which is a continuation of 07/756,998, filed September 9, 1991, now U.S. Patent No. 5,310,651, which is a continuation of application Serial No. 07/602,383, filed October 24, 1990 (abandoned), which is a continuation of application Serial No. 06/916,080, filed October 6, 1986 (abandoned), which is a continuation-in-part of application Serial No. 06/835,228, filed March 3, 1986, now U.S. Patent No. 4,839,288. Application Serial No. 07/756,998, filed September 9, 1991 is also a continuation of application Serial No. 07/604,323, filed October 24, 1990 (abandoned), which is a continuation of application Serial No. 06/933,184, filed November 21, 1986 (abandoned), which is a continuation-in-part of application Serial No. 06/916,080, filed October 6, 1986 (abandoned), which is a continuation-in-part of application Serial No. 06/835,228, filed March 3, 1986, now U.S. Patent No. 4,839,288, of Marc ALIZON, Luc MONTAGNIER, Francois CLAVEL, Francoise BRUN-VEZINET, and Denise GUETARD for NUCLEIC ACID-BASED METHODS FOR THE DETECTION OF HUMAN IMMUNODEFICIENCY VIRUS TYPE 2 (HIV-2), all of which are incorporated herein by reference.

1. Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior application Serial No. 07/756,998, as originally filed on September 9, 1991, which is incorporated herein by reference.
2. Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3. Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 1.22(b)(2)(B)(i).
4. Cancel Claims 2-15, leaving Claim 1.
5. A Preliminary Amendment is enclosed.

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LAW OFFICES
FINNEMAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N.W.
WASHINGTON, DC 20005
202-408-4000

6. The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 5 above.

Basic Application Filing Fee				\$740	\$ 740.00
	Number of Claims	Basic	Extra Claims		
Total Claims	1	- 20	0	x \$18	-0-
Independent Claims	1	- 3	0	x \$84	-0-
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)				+\$280	-0-
Subtotal				\$	-0-
Reduction by 1/2 if small entity				-	-0-
TOTAL APPLICATION FILING FEE				\$ 740.00	

7. **APPLICATION SUBMITTED WITHOUT FILING FEE.**

8. Amend the specification by inserting before the first line, the following new paragraph:

R/

This is a continuation of application Serial No. 08/467,161, filed June 6, 1995, which is a continuation of application Serial No. 08/132,919, filed October 7, 1993, now U.S. Patent No. 5,545,726, which is a continuation of 07/756,998, filed September 9, 1991, now U.S. Patent No. 5,310,651, all of which are incorporated herein by reference.

9. New formal drawings are enclosed.

10. The prior application is assigned of record to: Institut Pasteur of Paris, France.

11. Priority of application Serial Nos. 86 00910, 86 00911, 86 01635, and 86 01985, filed on January 22, 1986, January 22, 1986, February 6, 1986, and February 13, 1986, respectively, in France are claimed under 35 U.S.C. § 119. A certified copy

is enclosed or is on file in the prior application.

12. Small entity status is appropriate and applies to this application.

13. The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F.

DRAFT - FEBRUARY 2001

Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewis, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Walter Y. Boyd, Jr., Reg. No. 31,738; Steven M. Anzalone, Reg. No. 32,095; Jean B. Fordis, Reg. No. 32,984; Roger D. Taylor, Reg. 28,992; Barbara C. McCurdy, Reg. No. 32,120; James K. Hammond, Reg. No. 31,964; Richard V. Burgujian, Reg. No. 31,744; J. Michael Jakes, Reg. No. 32,824; Thomas W. Banks, Reg. No. 32,719; Christopher P. Isaac, Reg. No. 32,616; Bryan C. Diner, Reg. No. 32,409; M. Paul Barker, Reg. No. 32,013; Andrew Chanho Sonu, Reg. No. 33,457; David S. Forman, Reg. No. 33,694; Vincent P. Kovalick, Reg. No. 32,867; James W. Edmondson, Reg. No. 33,871; Michael R. McGurk, Reg. No. 32,045; Joann M. Neth, Reg. No. 36,363; Gerson S. Panitch, Reg. No. 33,751; Cheri M. Taylor, Reg. No. 33,216; Charles E. Van Horn, Reg. No. 40,266; Linda A. Wadler, Reg. No. 33,218; Jeffrey A. Berkowitz, Reg. No. 36,743; Michael R. Kelly, Reg. No. 33, 921; James B. Monroe, Reg. No. 33,971; Doris Johnson Hines, Reg. No. 34,629; Allen R. Jensen, Reg. No. 28,224; Lori Ann Johnson, Reg. No. 34,498; David A. Manspeizer, Reg. No. 37,540; John Rissman, Reg. No. 33,764; M. Lawrence Oliverio, Reg. No. 30,915; and Therese Hendricks, Reg. No. 30,389.

14. The power appears in the original declaration of prior application Serial No. 07/756,998. A copy of the original declaration was also submitted on July 10, 2001, in prior application Serial No. 08/467,161.

15. Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.

16. Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, Customer Number 22,852.

17. Recognize as associate attorney _____

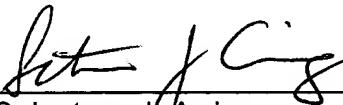
18. Also enclosed is _____

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in the parent application; Serial No. 08/467,161, filed June 6, 1995, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 9, 2001

By:



Salvatore J. Arrigo
Reg. No. 46,063
Telephone: 202-408-4160
Facsimile: 202-408-4400
E-mail: arrigos@finnegan.com

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N.W.
WASHINGTON, DC 20005
202-408-4000

PATENT
Customer No. 22,852
Attorney Docket No. 3495.0104-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Marc ALIZON et al.) Prior Appln.
Serial No.: To Be Assigned) Group Art Unit: 1648
(Cont. of USSN 08/467,161 (6/6/95)))
Filed: November 9, 2001)
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For: NUCLEIC ACID-BASED METHODS FOR THE DETECTION
OF HUMAN IMMUNODEFICIENCY VIRUS TYPE 2 (HIV-2)

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

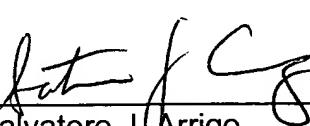
SUBMISSION OF FORMAL DRAWINGS

Subject to the approval of the Examiner, applicants submit 7 sheets of formal drawings herewith (Figures 1A, 1B, 2A, 2B, 2C, 2D, 3A, 3B, 4A, 4B, and 5). If the formal drawings for any reason are not in full compliance with the pertinent statutes and regulations, please so advise the undersigned.

If any fees are necessary for the submission of these formal drawings, please charge our Deposit Account No. 06-0916.

Respectfully submitted,
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 9, 2001

By: 
Salvatore J. Arrigo
Reg. No. 46,063
Telephone: 202-408-4160
Facsimile: 202-408-4400
E-mail: arrigos@finnegan.com